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*Attorneys for Plaintiff Federal Housing Finance Agency*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

FEDERAL HOUSING FINANCE AGENCY,  
AS CONSERVATOR FOR THE FEDERAL  
NATIONAL MORTGAGE ASSOCIATION  
AND THE FEDERAL HOME LOAN  
MORTGAGE CORPORATION,

Plaintiff,

-against-

MORGAN STANLEY, MORGAN STANLEY  
& CO., INC., MORGAN STANLEY  
MORTGAGE CAPITAL HOLDINGS LLC  
d/b/a MORGAN STANLEY MORTGAGE  
CAPITAL, INC., MORGAN STANLEY ABS  
CAPITAL I, INC., MORGAN STANLEY  
CAPITAL I, INC., SAXON CAPITAL, INC.,  
SAXON FUNDING MANAGEMENT LLC  
f/k/a SAXON FUNDING MANAGEMENT,  
INC., SAXON ASSET SECURITIES  
COMPANY, CREDIT SUISSE SECURITIES  
(USA) LLC f/k/a CREDIT SUISSE FIRST  
BOSTON LLC, RBS SECURITIES, INC. d/b/a  
RBS GREENWICH CAPITAL and f/k/a,  
GREENWICH CAPITAL MARKETS, INC.,  
GAIL P. MCDONNELL, HOWARD HUBLER,  
CRAIG S. PHILLIPS, ALEXANDER C.  
FRANK, DAVID R. WARREN, JOHN E.  
WESTERFIELD, STEVEN S. STERN,

Defendants.

**11 Civ. 6739 (PKC) (GWG)**

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the attached declaration of Kanchana Wangkeo Leung, dated October 26, 2011, and exhibits thereto, and the accompanying memorandum of law, Plaintiff Federal Housing Finance Agency, by and through its undersigned attorneys, moves this Court before the Honorable P. Kevin Castel, United States District Court Judge, United States District Court, Southern District of New York, for an order, pursuant to 28 U.S.C. §§ 1447(c), 1452(b), and 1334(c), (i) remanding this removed action to the Supreme Court of the State of New York, New York County, and (ii) awarding Plaintiff its costs and expenses, including attorneys' fees, incurred as a result of this removal.

DATED: New York, New York  
October 26, 2011

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Saxon Funding Management LLC, and Saxon Asset  
Securities Company, and accepting service on behalf  
of Individual Defendants Gail P. McDonnell,  
Howard Hubler, Craig S. Phillips, Alexander C. Frank,  
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